

3993 Howard Hughes Parkway, Suite 600
Las Vegas, NV 89169-5996
Facsimile (702) 949-8321
Telephone (702) 949-8320

Rob Charles NV State Bar No. 006593
Email: rcharles@LRLaw.com
John Hinderaker, Az State Bar No. 18024
Email: jhinderaker@LRLaw.com

Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA**

In re:

USA Commercial Mortgage Company,
USA Capital Realty Advisors, LLC,
USA Capital Diversified Trust Deed Fund,
LLC,
USA Capital First Trust Deed Fund, LLC,¹
USA Securities, LLC,²
Debtors.

Affects:

- ☐ All Debtors
- ☒ USA Commercial Mortgage Company
- ☐ USA Capital Realty Advisors, LLC
- ☐ USA Capital Diversified Trust Deed Fund, LLC
- ☐ USA Capital First Trust Deed Fund, LLC
- ☐ USA Securities, LLC

Case No. BK-S-06-10725-LBR
Case No. BK-S-06-10726-LBR¹
Case No. BK-S-06-10727-LBR
Case No. BK-S-06-10728-LBR²
Case No. BK-S-06-10729-LBR³

CHAPTER 11

Jointly Administered Under Case No.
BK-S-06-10725 LBR

**Motion for an Order Shortening Time
for Hearing on Motion to Extend
Deadline to File Objection to
Allowance of Claims with Certificate
of Service**

Date: OST Requested February 4, 2011
Time: OST Requested 1:30 p.m.

The USACM Liquidating Trust is filing a Motion to Further Extend Deadline to
File Objection to Allowance of Claims ("Motion"), and asks that the Court set an
expedited hearing and shorten notice on the Motion.

¹ This bankruptcy case was closed on September 23, 2008.

² This bankruptcy case was closed on October 12, 2007.

³ This bankruptcy case was closed on December 21, 2007.



1 The deadline to file objections to allowance of claims set by the confirmed plan of
2 reorganization has been extended from time to time. No objections to any prior request
3 were ever filed. Pursuant to the order of this Court, the current deadline to file an
4 objection to proofs of claim is February 7, 2011. The next omnibus hearing is scheduled
5 for February 25, 2011, two weeks after the expiration of the deadline. Undersigned
6 counsel contacted Court staff on January 4, 2011 to discuss hearing dates for the Motion.
7 Staff indicated that the Court has time available to hear the Motion on February 4, 2011, at
8 1:30 p.m., but that a motion for order shortening time would be necessary in order for
9 service of the Motion to be considered timely by the Court. Accordingly, the Court's
10 expedited consideration of the Motion is hereby requested.

11 Dated: January 6, 2011.

12 **LEWIS AND ROCA LLP**

13
14 By /s/ John Hinderaker (AZ #18024) (pro hac vice)
15 Rob Charles, NV 6593
16 RCharles@LRLaw.com
17 John Hinderaker (AZ #18024) (*pro hac vice*)
18 JHinderaker@LRLaw.com
19 3993 Howard Hughes Parkway, Suite 600
20 Las Vegas, Nevada 89169-5996
21 Facsimile: (702) 949-8321
22 Telephone: (702) 949-8320
23 *Attorneys for the USACM Liquidating Trust*
24
25
26

PROOF OF SERVICE

1. On January 6, 2011, I served the foregoing pleading, by the following means, to the persons as listed below:

(Check all that apply)

☐ a. ECF System (*You must attach the "Notice of Electronic Filing", or list all persons and addresses and attach additional paper if necessary*)

☐ b. United States mail, postage fully prepaid
(List persons and addresses. Attach additional paper if necessary)

☐ c. Personal Service (*List persons and addresses. Attach additional paper if necessary*)

I personally delivered the document(s) to the persons at these addresses:

☐ For a party represented by an attorney, delivery was made by handing the document(s) to the attorney or by leaving the documents(s) at the attorney's office with a clerk or other person in charge, or if no one is in charge by leaving the documents(s) in a conspicuous place in the office.

☐ For a party, delivery was made by handing the document(s) to the party or by leaving the document(s) at the person's dwelling house or usual place of abode with someone of suitable age and discretion residing there.

☒ d. By direct email (as opposed to through the ECF System)
(List persons and email addresses. Attach additional paper if necessary)



I caused the document(s) to be sent to the parties listed on Post-Effective Official Service List for Limited Notice to the persons at the email addresses listed below.

Abrams, Michelle
mabrams@abramstanko.com

Gordon, Gerald M.
gmg@gordonsilver.com

Berman, Geoffrey L.
gberman@dsi.biz

Hami, Asa S.
ahami@morganlewis.com

Boodt, Bradley N.
bnboodt@hollandhart.com

Hebert, John
jhebert@kirbymac.com

Carmel, Michael W.
michael@mcarmellaw.com

Hermann, Jeffrey D.
jhermann@orrick.com

Charles, Robert
RCharles@lrlaw.com

Itkin, Robbin
ritkin@steptoe.com

Chubb, Janet L.
jlc@jonesvargas.com

Jones Vargas
tbw@jonesvargas.com

Davis, George A.
george.davis@cwt.com

Kinas, Robert
rkinas@swlaw.com

Diamond, Allan B.
adiamond@diamondmccarthy.com

Kirby, Dean T.
dkirby@kirbymac.com

Dreitzer, Richard
richard.dreitzer@bullivant.com

Landis, August B.
augie.landis@usdoj.gov

Elley, Bradley Paul
bpelleylawbk@sbcglobal.net

Levinson, Marc A.
malevinson@orrick.com

Elley, Bradley Paul
elnivnv@sbcglobal.net

Madden, Eric
emadden@diamondmccarthy.com

Esterkin, Richard W.
resterkin@morganlewis.com

Ovca, William J.
N1GL@aol.com

Freeman, Susan
SFreeman@lrlaw.com

Rasmussen, Lisa A.
lisa@lrasmussenlaw.com

Garman, Gregory E.
geg@gordonsilver.com

Scann, Susan Williams
sscann@deanerlaw.com

Goe, Robert P.
rgoe@goeforlaw.com

Shapiro, Brian
bshapiro@brianshapirolaw.com

Tucker, Michael
michael.tucker@fticonsulting.com

Williamson, Deborah
dwilliamson@coxsmith.com

I did not receive, within a reasonable time after the transmission, any electronic message or other indication that the transmission was unsuccessful.

In addition, a copy is posted on the USACM Liquidating Trust website, available at <http://usacmcucc.bmcgroup.com/default.aspx>.

☐ **e. By fax transmission (*List persons and fax numbers. Attach additional paper if necessary*)**

Based upon the written agreement of the parties to accept service by fax transmission or a court order, I faxed the document(s) to the persons at the fax numbers listed below. No error was reported by the fax machine that I used. A copy of the record of the fax transmission is attached.

☐ **f. By messenger (*List persons and addresses. Attach additional paper if necessary*)**

I served the document(s) by placing them in an envelope or package addressed to the persons at the addresses listed below and providing them to a messenger for service. (A declaration by the messenger must be attached to this Certificate of Service).

I declare under penalty of perjury that the foregoing is true and correct.

Signed: January 6, 2011 at Phoenix, Arizona.

/s/ Jennifer Cook
Lewis and Roca LLP